

AMENDMENT TO RULES COMMITTEE
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OFFERED BY MS. JACOBS OF CALIFORNIA

At the end of subtitle C of title V, add the following:

1 **SEC. 5 ____ . NONDISCRIMINATION WITH RESPECT TO SERV-**
2 **ICE IN THE ARMED FORCES.**

3 (a) IN GENERAL.—Chapter 37 of title 10, United
4 States Code, is amended by inserting after section 651 the
5 following new section:

6 **“§ 651a. Members: prohibition of gender discrimina-**
7 **tion**

8 “(a) STANDARDS FOR ELIGIBILITY FOR SERVICE.—
9 Any qualifications established or applied for eligibility for
10 service in an armed force shall take into account only the
11 ability of an individual to meet occupational standards for
12 military service generally and the military occupational
13 specialty concerned in particular, and may not include any
14 criteria relating to the race, color, national origin, religion,
15 or sex (including gender identity, sexual orientation, or sex
16 characteristics (including intersex traits)) of an individual.

17 “(b) EQUALITY OF TREATMENT AND OPPORTUNITY
18 IN SERVICE.—Any personnel policy developed or imple-
19 mented by the Secretary concerned with respect to mem-

1 bers of the armed forces shall ensure equality of treatment
2 and opportunity for all persons in the armed forces, with-
3 out regard to race, color, national origin, religion, and sex
4 (including gender identity, sexual orientation, or sex char-
5 acteristics (including intersex traits)).”.

6 (b) CLERICAL AMENDMENT.—The table of sections
7 at the beginning of such chapter is amended by inserting
8 after the item relating to section 651 the following new
9 item:

“651a. Members: prohibition of gender discrimination.”.

